

UNITED STATES DEPARTMENT OF COMMERCE

PATENT AND TRADEMARK OFFICE

PATENT

In the application:

Application Number: 10/800,553

First Named Inventor: HE, Ting *et al.*,

Filed: March 15, 2004

For: HOLDER FOR SAMPLE MATERIALS USED IN HIGH THROUGHPUT
PHYSICAL VAPOR DEPOSITION MATERIAL STUDIES

Group Art Unit: 1792

Examiner: KACKAR, RAM N

Attorney Docket Number: 3994994-149832

Confirmation Number: 9803

Filed on October 30, 2009 by EFS

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

PETITION UNDER 37 CFR § 1.181

TO WITHDRAW HOLDING OF ABANDONMENT MAILED ON OCTOBER 14, 2009

To the Honorable Commissioner:

I. Statement of the facts involved.

A Notice of Abandonment was mailed in this application on October 14, 2009 indicating that "No corrected drawings have been received." The June 19, 2009 issue fee notice, following an interview on June 4, 2009 included an Examiner's amendment and provided that:

Drawings

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: The columnar structure maintaining substrate electrode 46 should be identified by a number.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Following discussions with Examiner Kackar on April 27 and 28, 2009, applicant, however, submitted the following supplemental amendment and remarks.

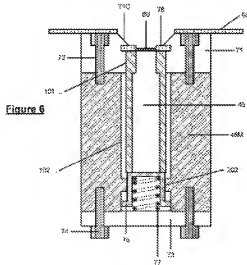
AMENDMENT TO THE DRAWINGS

Please enter replacement sheet for Figure 6 appended hereto as **Exhibit**

A. The replacement sheet includes the addition of the reference number 202 . .

. . .

Application Number: 10/000,323, filed March 10, 2004



REPLACEMENT SHEET

Application: 10/000,323, filed on March 10, 2004. The present drawing is for the purpose of the application.

In addition, an amendment to the specification was made:

Please amend paragraph [0021] of the specification as follows:

[0021] Figure 6 shows a cross section of the holder detailing an individual mechanism in the overall array for securing an individual electrode in the holder assembly showing the configuration of the elements: face plate 71 and fastening screws 72 attaching to block or middle plate 46M and retainer or rear plate 73 with fastening screws 74. The substrate 46... is shown maintained in the column in the middle plate 102... which is concentrically aligned with opening 101... in the face plate. The spring 77 and electrode retainer 76 exert a force upon the electrode to secure the electrode at the spot area 80 at which the surface of the electrode is exposed to the plasma beam during the coating process. Small mask 75 in the opening 101... is at the base of a chamfer or bevel 71C in the opening 101... in faceplate 71. Thus the upper section of the electrode substrate 46... is inset into the face plate 71. A small oversize tolerance in the column 102... in middle plate 46M facilitates the insertion of the electrode. Large mask 90 overlays the face plate opening 101... Interior ring 202 divides column 102 into an upper section, receiving the electrode, and a rear section, receiving the spring retainer.

The drawing and amendment following the interview were entered. The Specification otherwise provides, however, at Paragraph 20, the requested number reference for the "columnar structure" as set out in the figures

[0020] Figures 4A and 4B and 5A and 5B respectively show, from the front and back, the assembly of the holder. The holder comprises a face plate 71 attached to block or middle plate 46M to which retainer plate 73 is also attached. The openings in the face plate, 101a, 101b, 101..., essentially corresponding to the spot array to be coated, are concentrically aligned with open cylindrical columns 102a, 102b, 102... in the block or middle plate 46M which receive the electrodes, rods or substrate elements 46... Thus, the block holds each substrate in an array in a pre-arranged pattern. In Figure 5B, an electrode mask 75 is shown positioned in the circular column at the front face of electrode 46... At the back of the electrode, retainer 76

The "columnar structure ***maintaining substrate electrode 46***" is identified as the "... open cylindrical columns 102a, 102b, 102... in the block **[which receive the ...**

electrodes 46 ...]. The columnar structure[s] are the "... **open cylindrical columns 102a, 102b, 102... in the block ...**" identified by numbers 102x Identification by a further number would be redundant, if not confusing. No further amendment to the application or the existing specification would be appropriate. The requested number identification, 102..., of the "columnar structure maintaining substrate electrode 46" is already indicated.

II. The action requested.

Because the requested identification of the columnar structure was already present, the Notice of Abandonment indicating that "No corrected drawings have been received" is inappropriate and should be withdrawn.

Allowance of this petition, withdrawal of the holding of abandonment, and passage of the patent to the issue branch is requested.

Respectfully submitted,



Edwin M. Baranowski, Reg. No. 27,482
Porter, Wright, Morris & Arthur LLP
Columbus, Ohio 43215
(614) 227-2188
Fax: (614) 227-2100

CERTIFICATE OF FILING BY EFS [PRIVATE]

I certify that the foregoing **PETITION UNDER 37 CFR § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT MAILED ON OCTOBER 14, 2009** is being filed on October 30, 2009 by EFS, Attention: Office of Petitions, Commissioner for Patents, Mail Stop PETITION, PO Box 1450, Alexandria, Virginia 22313-1450].



Edwin M. Baranowski